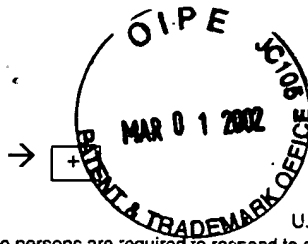


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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/885,750
	Filing Date	Jun 19, 2001
	First Named Inventor	Hankins, Scott A.
	Group Art Unit	2151
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	011.0215.01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter
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Firm or Individual name	Law Offices of Patrick J.S. Inouye
Signature	
Date	FEB 20 2002

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Petition to Correct Filing Date  
Docket No. 011.0215.01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Hankins et al.	
Application No.: 09/885,750	
Filed: June 19, 2001	Group Art Unit: 2151
Title: System And Method For Dynamically Controlling A Rogue Application Through Incremental Bandwidth Restrictions	Examiner: Unassigned
Attorney Docket No.: 011.0215.01	

**PETITION TO CORRECT FILING DATE AND FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.10, please correct the filing date and the filing fee received on the Filing Receipt of the above-identified U.S. patent application. This Petition to Correct Filing Date and Filing Receipt (Petition) is the second Petition requesting these corrections, and is filed in response to the Response to Request for Corrected Filing Receipt (Response) mailed from the U.S. Patent and Trademark Office (USPTO) on January 4, 2002.

**Filing Date**

The correct filing date for the above-identified patent application is **June 19, 2001**. The Filing Receipt mailed from the USPTO on August 13, 2001, incorrectly shows a filing date of June 16, 2001. The following documents are submitted in support of a June 19, 2001 filing date:

- (1) Copy of Express Mail Label No. EL793271872US, with correct date-stamp highlighted;
- (2) Copy of Return Receipt Postcard, showing "Date Mailed: June 19, 2001," highlighted;
- (3) Express Mail Tracking and Delivery record, printed from the official U.S. Postal Service Web Site, showing package acceptance on June 19, 2001, in Seattle, Washington;
- (4) Copy of Utility Patent Application Transmittal with the certificate of mailing certifying

deposit with the U.S. Postal Service on June 19, 2001.

In completing the Date In block of the Express Mail label, the postal worker erroneously wrote "6 16 01." However, the correct filing date of June 19, 2001, can be found on the official USPS date-stamp on the same Express Mail label.

**Filing Fee**

Under Fil Fee Rec'd, replace "1114" with --1600--. Enclosed is a copy of the official Filing Receipt for the above-identified patent application, which has been marked in red ink to identify the correction needed. Copies of the Patent Application Transmittal Sheet and filing fee payment check, verifying the correct information, are also enclosed.

Accordingly, please correct the filing date and the filing fee as shown on the Filing Receipt, and please issue a Corrected Filing Receipt reflecting these changes.

No petition fee is enclosed, as the requested corrections are due to USPTO error.

Respectfully submitted,

Dated:

**FEB 20 2002**

By:



Patrick J.S. Inouye, Esq., Reg. No. 40,297

The Law Offices of Patrick J.S. Inouye  
810 Third Avenue, Suite 258  
Seattle, WA 98104  
Telephone: (206) 381-3900  
Facsimile: (206) 381-3999



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Pet to Corr Filing Date 2



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/885,750	06/16/2001	Scott A. Hankins	011.0215.01

CONFIRMATION NO. 4021



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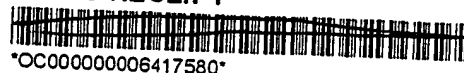
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/885,750	06/16/2001 06/19/2001	2151	1114	011.0215.01	11	38	4

CONFIRMATION NO. 4021

## FILING RECEIPT



\*OC000000006417580\*

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810 Third Avenue Suite 258  
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Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Scott A. Hankins, Cupertino, CA;  
Brett A. Galloway, Los Altos, CA;

Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted 08/13/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

## Title

System and method for dynamically controlling a rogue application through incremental bandwidth restrictions

## Preliminary Class

709

Data entry by : PHAM, TRUONG

Team : OIPE

Date: 08/13/2001





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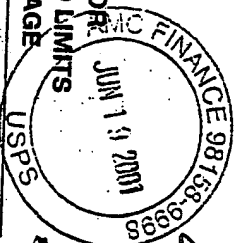
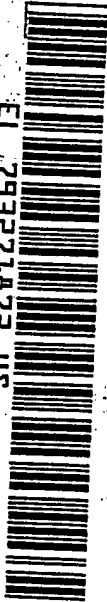
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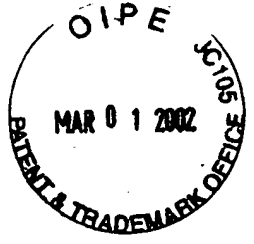
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# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
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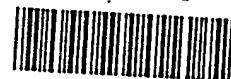
Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Scott A. Hankins, entitled System And Method For Dynamically Controlling A Rogue Application Through Incremental Bandwidth Restrictions, for a(n)

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):

( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_

( ) A statement claiming priority under 35 USC § 120 has been added to the specification.



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( ) Partially Signed.

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( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

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Respectfully submitted,

By: \_\_\_\_\_

Patrick J.S. Inouye, Esq., Attorney of Record  
Reg. No. 40297

Date: June 19, 2001

Correspondence Address:

Law Offices of Patrick J.S. Inouye  
810 Third Avenue Suite 258  
Seattle, WA 98104  
Phone: (206) 381-3900  
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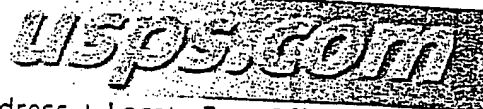
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